

BOYD GETS A BIT ANGRY

Doesn't Like E. A. Mott-Smith's Remarks.

(From Thursday's daily.)

A SLIGHT disagreement between J. H. Boyd, Superintendent of Public Works, and E. A. Mott-Smith, enlivened yesterday's meeting of the Board of Health. Boyd took exception to statements made by Mr. Mott-Smith in reference to the stone crusher near the insane asylum and finally left the meeting.

The old crusher controversy was called up immediately after the reading of minutes, when the following report by City Sanitary Officer Tracy upon the condition of Nuanu district streets was presented.

Dr. H. C. Sloggett, President Board of Health.

Dear Sir:—In regard to the sanitary condition of the streets Ewa of Nuanu stream, I beg leave to report as follows:

King street beyond Liliha street has been properly macadamized and is in good condition. From Liliha street to the Nuanu stream it is uneven but is all right, except at the junction of the Prison road, where a pond of mud gathers after every rain, and owing to the heavy traffic at this point, is anything but pleasant driving. All the street sweepings at this place of course are thrown into the mud and not cleaned up, with the result that sanitary conditions are not as they should be. Proper macadamizing would do away with this trouble to a great extent, especially as the grade of the gutter on the mauka side is in the wrong direction.

The Prison and Iwili roads are as good as any road which is not macadamized. In other words, when wet mud holes and ruts are bound to be formed. They are not insanitary.

Beretania street likewise from King street to Nuanu stream is as good a street as can be expected where there is no top dressing. It drains well and there are no insanitary places in it.

Aala lane is rather flat, but there is no water standing in it after a rain, and while proper macadamizing would help its appearance and smoothness, it would not materially alter its sanitary condition.

Kukui street, Ewa of the stream, is in a deplorable state, not due so much to the fault of the street as to an awai which has broken its banks and sought another outlet with the result that the piece of street is impassable at present. Its appearance is a great deal worse than its sanitary condition. Vineyard street in heavy weather is six inches deep in mud, but there are no low places in it. All water runs off, of course, when the street is so muddy it is difficult for the garbage and excavator carts to do as thorough work as should be done, and a good road would help matters, yet in itself the street is in no wise a menace to the health of the inhabitants of the vicinity.

Liliha street is in a chaotic state, due to the work once begun not having been finished. All the street drains well, and the street is not a nuisance except that it is hard on the vehicles and those in them.

School street is all right. A little work on the same would improve it.

To sum up in a few words, there are two places which need attention from a sanitary standpoint, King street at the junction of the Prison road, and the piece of Kukui street Ewa of Nuanu stream. It is intimated that improving the condition of the streets will to a certain extent help sanitary matters, but there is no crying need for such work at the present time.

Respectfully submitted,

City Sanitary Officer.

President Sloggett requested Superintendent Boyd to make a statement, which he did, though saying that in his opinion the members of the board had prejudged the matter. He stated that the residents of the Fifth district had complained to him of the insanitary conditions and bad roads, and he was desirous of giving relief if possible. The only way by which this could be done was to reopen the asylum stone crusher, and he was willing to assume any conditions imposed by the board if allowed to do this. Stone could be hauled from this crusher at from fifty to sixty cents per load, while at the Mausoleum the cost would be \$1.50 per load.

Mr. Mott-Smith replied that the members of the board were agreed on the proposition that either the stone crusher or the asylum must be moved, and it was simply a question of expediency. He understood that the cost of removal of the crusher would be from \$3000 to \$5000, and it was impossible to do anything with the asylum for that amount. But in any event the welfare of the inmates outweighed any question of expense, and he did not believe the board should recede from its former position. He said he wanted to see the roads repaired, but not at the expense of the inmates of the asylum.

Dr. Sloggett here inquired of Mr. Boyd what the cost of the removal of the stone crusher would be. "It won't exceed \$5000," was the reply.

"There is a place near the present location which would fill the bill," added Mr. Mott-Smith. "In company with the Governor I inspected it one time."

"The Governor told me nothing of such a location," said Boyd.

"It is near the present crusher site, but around the nob of the hill, so that the sound will be carried away from the asylum."

"Well, if the Governor has decided upon a site, I don't suppose this request would have been made. I would not have sent the letter at all."

Dr. Cooper here moved that Mr. Mott-Smith be appointed as a committee of one to show the proposed site to the Superintendent of Public Works. Mr. Mott-Smith objected, saying that he had no time, and did not wish to instruct the Superintendent of Public Works as to what should be done, as the latter was getting paid for his work anyway.

"I intend to say," replied Boyd, an-

grily, "that I am fully able to do my duty without the assistance of Mr. Mott-Smith. I know I am paid for my work, but if the honorable gentleman is not being paid for being a member of the Board of Health, he can resign if he wants to."

With these words Mr. Boyd left the room, leaving to the President as he went. Mr. Sloggett said final disposition should be made of the Superintendent's letter, and Dr. Cooper renewed his motion for the appointment of Mr. Mott-Smith as a committee to show Mr. Boyd the proposed site for the crusher.

Mr. Mott-Smith replied that the location would not vanish, and that he did not believe it his line of duty to point out to the Superintendent of Public Works where the rock crusher should be located, as the Department of Public Works was supplied with the necessary maps and information to ascertain these facts. He thought it improper to tell him where it should be located. The matter finally went over upon a motion to lay the letter upon the table, not to be taken up excepting at the request of Superintendent Boyd.

IF EATING WERE A CRIME.

There was a time when Mrs. Hayes considered herself to be what she calls "a gone woman." She actually divided her clothes and other personal effects among her children. Thank Goodness—but here is her story, told in her own way; by all odds the best way.

"Three years ago," she says, "I had dreadful pains across the left side of my stomach and under the shoulder-blades. My left side swelled up fearfully. I was laid up weeks at a time, work being out of the question. While these fits were on I could neither walk, sit, or stand with comfort.

"I was really ashamed to let the neighbors see me crawling about; so I spent most of my time lying down or leaning against something to ease my dreadful pains.

"I had been a hard-working woman all my life, but now I lost my strength and dreaded to eat anything, knowing the awful suffering I was sure to experience afterwards; as if eating were somehow a crime against the laws of nature. And at night I rolled and tossed about instead of sleeping.

"The doctor said I was indigestion and no doubt he was right, but he was not able to relieve me.

"I considered myself 'a gone woman' and told my husband I was sure I could not last much longer. Indeed I was so fully persuaded of this, that I actually divided my clothes and personal effects among my children.

"Thank Goodness and Mother Selge's Syrup I have since worn out most of them myself.

"After a lot of coaxing and argument (for I was tired of trying things, and hope had about died away in my heart) I consented to take Selge's Syrup.

"I was not quite sure of the effect of the first bottle but my husband insisted on my going on with it. So I did go on with it, and after I had got through half the second bottle there was no doubt of the result. I was much better; I felt it, and others could see it.

"It was hardly short of a miracle, the way Selge's Syrup brought me round. From a poor, weak, and wretched woman, unable to walk or scarcely raise my hand to do the smallest piece of work, it gave me back health and strength, restored me to my husband and family, enabled me to go on with my work once more, and, in short, made me as well as ever I was in my life.

"I am now upwards of 60, and have reared a large family. I have lived in the district about 37 years, and am well-known here." (Mrs.) Julia Hayes, Mount Keira, Paradise, near Wollongong, N. S. W., October 11th, 1899.

Mr. John Hickey, blacksmith, at the same place, writes that he has known Mrs. Hayes all his life, and (in common with many others) knows her statement to be true. He adds that she is respected by everyone.

KONA ALL RIGHT.

Excellent reports came from Kona plantation by the steamer Mauna Loa, which arrived yesterday morning from Hawaii. Most of the laborers are back at work, the mill is working steadily and grinding out about fifteen tons a day, with the promise that in a short time thirty tons a day will be produced, and in three weeks time the new Kona Plantation railroad will be ready for operating. A gentleman who has spent some time on the plantation states that if the bondholders do not step in and make objections to the manner in which affairs are being conducted, the plantation, under its present receiver management, will be able to work out its own salvation.

The Japanese laborers and planters, numbering about 500 men, are in perfect accord with Receiver M. F. Scott, and an amicable arrangement has been effected whereby the promise of the receiver to pay the men out of the receipts of the present crop has been accepted, the men relying upon Mr. Scott to fulfill his pledges to the letter. This condition of affairs has been brought about by the combined efforts of Mr. Scott, Miki Saito, the Japanese Consul, and Chester Doyle.

The mill is running smoothly and on an average of fifteen tons per day has been turned out, the output so far being about 200 tons. The capacity will shortly be doubled by the installation of new triple effects. It is expected this will be accomplished within the next ten days.

The crop will amount to about 3500 tons, this being the minimum estimate. This will suffice to put the plantation on a paying basis.

The Plantation Railroad, which is being built by Whitehouse and Hawxhurst, of Hilo, will be completed in a short time. The contractors state that in three weeks' time the locomotives can begin drawing cane over the system, and with this road in operation those connected with the plantation believe that Kona's prosperity is assured.

The Plantation Railroad is eight miles in length, and of three-foot gauge. It runs from the mill to an elevation of about 800 feet above sea level, where it gathers the cane brought down from the higher slopes by means of wire cables. The equipment consists of thirty cane cars, twenty flats and two locomotives. The contractors commenced building the road last October.

SUGAR AND COFFEE

(Special to The Advertiser.)

SAN FRANCISCO, April 15.—By an agreement of contract formally ratified, all refiners throughout the country will sell sugars on uniform terms. This does not mean they will name uniform prices, but that whatever the price, the terms shall remain unchanged. In future, therefore, a price of 50 for granulated will mean the same whether quoted by the Sugar Trust, the National Company or the Arbuckle, and it will not be complicated by any special or extra discounts. During the last year or so there has been considerable irregularity, so far as discounts have been concerned, and refiners have charged their rivals with making secret discounts while apparently maintaining list prices.

The new terms will go into operation on all sugar sold on and after April 15. They follow:

List price, less 10c per hundred pounds, 50 days.

Discount 1 per cent for cash 7 days. Extra discount of 4 points to be paid on end of 60 days to all who have lived up to agreements.

The present terms are list prices, less 1 per cent trade discount, less a second 1 per cent for cash 7 days, and less a third 1 per cent special discount. The last-named 1 per cent special discount was the result of an alleged secret cut by the Sugar Trust which was openly met by the Arbuckle and subsequently put into operation by the National Company.

It is not a fact that the refiners have agreed among themselves in regard to the new terms. The agreement has been entirely between the individual refiners and the National Wholesale Grocers' Association. In other words, the grocers have themselves first agreed upon the terms they believe they can live up to and enforce. It is well known that for some years past the wholesale grocers have had great trouble in carrying out what is known as the Equality Plan for the sale of sugars. In some portions of the country they have been able to maintain the profit they agreed among themselves should be the minimum, namely 15c per hundred pounds; but in many other sections of the country the plan has not been successful. The sections in which they may be said to have been successful are the New England and Eastern States and also some of the Northwestern States, but beyond these sections any maintenance of prices has been irregular and the sugar business, which constitutes so large a share of the business of the wholesale grocer, has in many instances been carried on at an actual loss, on account of the encouragement to use it as a leader for the sale of other merchandise.

The wholesale grocers of the country through the National Executive Committee have for a year or more been at work upon a plan for remedying this unsatisfactory and unprofitable condition, and they this week completed it and yesterday secured formal promises of co-operation from the refiners. It will, they believe, enable them to effectually carry out the Equality Plan and enable all grocers to secure a moderate profit on sugar. The grocers' committee secured the co-operation of

SMITH CONTEMPT CASE SUBMITTED

(From Thursday's Daily.)

The first trial for alleged violation of the Internal Revenue laws of the United States in this Territory was begun before Judge Estee yesterday. The trial forebodes what is said active prosecutions on the part of the Federal authorities of all illicit distillers in the Territory, once evidence is obtained sufficient to warrant trial.

The Castanhas, father and son, were the defendants in the case, and the evidence of their alleged distillery were pretty plainly apparent in the court room. A five gallon demijohn of kokobao was produced in court and Marshal Hendry testified that he had secured it when it was full.

"What's become of the remainder?" asked the Court, for the demijohn was not quite full to the brim. There was no response from the witnesses, though there was a fusillade of knowing grins directed at the marshal. The copper still, though much the worse for wear, was also introduced in evidence, and witnesses explained its operation. The hearing will be continued at this morning's session of court. The following jurors are hearing the case: Felix Brughelli, E. E. Hartman, W. A. Hardy, H. Kruger, Chas. J. Fishel.

TAKE RIGHT STEP.

Every ordinary cold is deserving of serious attention.

A step in one direction carries the system from an ordinary cold on into grippe, pneumonia, or consumption. A step in another direction carries the system back into good health.

Nature and Scott's Emulsion work hand in hand in their effort to make your system take the right step. Nature is working all the time. Scott's Emulsion can't work unless you take it. Scott's Emulsion then makes nature work harder than ever.

If you have only a cold and wish to ensure a favorable outcome, take Scott's Emulsion.

Send for Free Sample.

SCOTT & BOWNE, Chemists, 409 Pearl St., N. Y.

ARGUE TO FIRE COURT

The Insurance Men Present Their Claims.

(From Thursday's daily.)

The Court of Fire Commissioners heard arguments yesterday upon the liability of the government for the claims made by the insurance companies for losses paid by them as a result of the plague fires. The amount claimed by these companies is about \$80,000. The claimants are the North German Fire Insurance Co., Hamburg-Bremer Fire Insurance Co., North British and Mercantile, New Zealand, Transatlantic, Royal, Fireman's Fund and Liverpool, London and Globe. The insurance companies were represented by Judge Silliman, A. G. M. Robertson and Mr. Holmes, while Attorney General Dole represented the government.

Mr. Dole opened the argument, addressing the court for nearly the entire morning session. He contended that the legislature did not provide for payment of fire losses adjusted by the insurance companies, that they were taking that risk, and had been receiving premiums year after year upon the possible contingency of a fire. The policies contained the provision, by order of the civil authorities, and the insurance companies were bound by their contract.

These insurance claimants assumed the risk by burnings "by order of the civil authorities." They put this liability in the contracts of insurance which they issued. They took pay for it in the shape of premiums. They did this, presumably knowing that there was at the time no remedy against anyone for the destruction of property under such circumstances. Their liability to insurers was a business contract, to which the government was in no sense a party. In reimbursing insurers, they have simply lived up to their contracts with them.

It was argued also that the insurance companies had no property and consequently did not come within the provisions of the act, they did not suffer any loss by paying that which they were bound to pay under their contracts with the insured.

To admit the claims of these companies is to pay them twice at the expense either of the taxpayers at large, or of the actual sufferers from the sanitary fires—once in the premiums which they have received for assuming the risk, and again in relieving them, at the expense of taxpayers or others, of the risk which they assumed as a matter of business.

If these insurance claims are allowed and the claims in the aggregate are more than fifteen hundred thousand dollars, the eighty thousand dollars must be deducted, pro rata, from the amounts to be paid the actual sufferers from these fires. On the other hand, if the aggregate of claims does not exceed fifteen hundred thousand dollars, including the insurance claims, then the insurance claims, if allowed, will be paid by the taxpayers of the Territory. It is submitted, in either case, such payment will be contrary to the letter and to the spirit of the act; and will be, in effect, a gift to corporations that have already, in the shape of premiums, received payment for all their losses.

Mr. Holmes replied briefly, arguing that the legislature intended to pay all sufferers from the fire, and that the insurance companies had been damaged by the conflagration as much as any person. Only a few companies had the provision protecting policy holders from loss by fire started by civil authorities, and justice demanded that the government protect these companies. He contended further that the companies could have made a secret agreement with the policy holders, promising reimbursement in case the government did not act, and in that event the Territory would have been compelled to pay the claims. By paying these losses the claims were assigned to the insurance companies and they were entitled to reimbursement. He also stated the constitutional provision that "private property may not be taken without just compensation," and said that the legislature evidently intended that the insurance companies should be included in the adjustment.

Mr. Robertson stated that it made no difference who owned the buildings that rich and poor must be treated alike and that if the insurance companies proved their claims they were entitled to the award. The government, he said, admitted its liability when it passed the act appropriating a million and a half dollars for the payment of claims.

Yesterday afternoon the Supreme Court heard arguments in the case of Honolulu Investment Company vs. H. Rowland and others.

DISTRICT COURT APPEALS.

Territory vs. Kila, cruelty to animals. Twenty days' sentence and fined \$20.

Territory vs. J. T. Figurado, Manuel Carvalho and J. J. Souza, assault; fined \$25 each.

Territory vs. Kwong Chin, assault and battery; fined \$25.

Territory vs. Sam Alapal, gambling; fined \$25 and costs.

BEFORE JUDGE ROBINSON.

Judgment was confessed yesterday in the case of J. Alfred Magoon vs. W. C. Achi.

A demurrer has been filed in the divorce case of Carolina G. Silva vs. M. G. Silva. It is alleged that the libel is defective and that the court has no jurisdiction.

COULD FILL THE PAPER WITH THEM.

This paper might be filled with items like the following, and every one he knows of. "I had rheumatism for years and tried almost everything, but got no permanent relief until I used Chamberlain's Pain Balm, three bottles of which have cured me. It is the best medicine I ever used."—Philip M. Rhonda, Pennville, Mo., U. S. A. Pain Balm is for sale by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

YES OR NO?

Honolulu People Are Respectfully Asked to Answer These Questions.

Is there anything in the evidence of one's senses?

Is there anything in the testimony of one's friends?

Can reliance be placed upon statements from people we know?

Are the opinions of local citizens of any greater moment than those of strangers?

Would you sooner believe people living in some far-away place than residents of your own city?

We think not! For home proof can easily be investigated.

Mr. W. J. Maxwell of this town, "Trust officer, writes thus: "I suffered with a horrible pain in the small of my back (an almost invariable symptom of kidney trouble) for a number of years. I was advised to take some of Doan's Backache Kidney Pills, and following the suggestion, I went to the Hollister Drug Co.'s store, Post street, and got some of these. Having taken them, they relieved me straight away, and are, I may say, the best remedy I have mentioned the virtue of this wonderful remedy to several persons, among whom is my friend, Mr. Frank McCall, who found relief, and he is now a firm believer in Doan's Backache Kidney Pills."

Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, six boxes \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Best at the lowest price at Hopp's

Oak Chiffoniers

There is no place in the world where a chiffonier is so much needed as in Honolulu.

In this climate where ladies require many changes of clothing there is a demand for space in which to put things away. One of our chiffoniers will not only be a convenience but add to the appearance of your chamber.

Extension Dining Tables

Either round or square and a new stock of

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Now in stock—a handsome assortment of

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Come and see these goods—they include all kinds and the prices are low.

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is considered—and deservedly so—as to be the best in the city, the reason being that we employ men who understand their business and we give it our attention.

Mattresses made to order. French polishing and furniture repairing.

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Monsignor Begni, Archbishop of Quebec, will be made a cardinal in May.